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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 LAWRENCE E. SCHWIGER,)

10 Petitioner,)

3:09-cv-0454-LRH-VPC

11 vs.)

ORDER

12 JACK PALMER, *et al.*,)

13 Respondents.)
14

15 Petitioner has filed a motion seeking to reopen this habeas corpus case (ECF No. 44).
16 Respondents have responded to the motion (ECF No. 45) indicating no objection and stating the
17 intention to reserve any defenses or objections to the claims raised.

18 This action was stayed, pursuant to an Order entered April 6, 2011 (ECF No. 43). The stay
19 resulted from petitioner's request for stay order to allow him to pursue appellate proceedings as to a
20 related case. In the Order staying the case, the Court indicated that this case is subject to being
21 reopened upon a motion by petitioner. *See id.*

22 Petitioner's appellate proceedings have apparently concluded, and petitioner has now
23 returned to this Court seeking to reopen this case. Respondents do not object to the case being
24 reopened. The Court will therefore grant petitioner's motion to reopen this case.

25 **IT IS THEREFORE ORDERED** that petitioner's Motion to Reopen Case (ECF No.
26 45) is **GRANTED**.

27 **IT IS FURTHER ORDERED** that the Clerk shall **REOPEN THIS FILE**.

28 ///

1 **IT IS FURTHER ORDERED** that Petitioner shall have **forty-five (45) days** from entry of
2 this order to file an amended petition. Respondents shall thereafter have **forty-five (45)** days to
3 answer or otherwise respond to the amended petition.

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5 DATED this 13th day of March, 2012.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE